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AAA Life Insurance Company

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

AMERICAN GENERAL LIFE INSURANCE COMPANY,)	CASE NO.: 2:11-cv-00977-PMP-RJJ
)	
Plaintiff,)	
)	
vs.)	<u>STIPULATION AND ORDER OF</u>
)	<u>DISMISSAL WITH PREJUDICE, OF</u>
DON JUAN W. FUTRELL,)	<u>THIRD-PARTY PLAINTIFF DON</u>
)	<u>JUAN W. FUTRELL'S THIRD-PARTY</u>
Defendant.)	<u>COMPLAINT AGAINST THIRD-</u>
)	<u>PARTY DEFENDANT AAA LIFE</u>
)	<u>INSURANCE COMPANY</u>
<hr/> DON JUAN W. FUTRELL,)	
)	
Counterclaimant,)	
)	
vs.)	
)	
AMERICAN GENERAL LIFE INSURANCE COMPANY, a foreign corporation; DOES I - V and ROE ENTITIES I - V, inclusive,)	
)	
Counterdefendants.)	
)	
<hr/> DON JUAN W. FUTRELL,)	
)	
Third-Party Plaintiff,)	
vs.)	

AAA LIFE INSURANCE COMPANY, a
foreign Corporation; DOES VI – X and ROE
ENTITIES VI – X, inclusive

Third-Party Defendant.

IT IS HEREBY STIPULATED by and between Third-Party Plaintiff Don Juan W. Futrell and Third-Party Defendant AAA Life Insurance Company, by and through their undersigned counsel of record, that Third-Party Plaintiff Don Juan W. Futrell's Third-Party Complaint against AAA Life Insurance Company, only, with the following claims for relief: 1) Declaratory Relief; 2) Breach of Contract; 3) Contractual Breach of Covenant of Good Faith and Fair Dealing; 4) Tortious Breach of Covenant of Good Faith and Fair Dealing; 5) Negligent Misrepresentation; 6) Intentional Misrepresentation; and 7) Civil Conspiracy, shall be dismissed, with prejudice, each party to bear their own costs and attorney's fees;

IT IS FURTHER STIPULATED that Third-Party Defendant AAA Life Insurance Company waives its attorney's fees and costs the court awarded (Dkt. #97) in the amount of \$2,745.00; and

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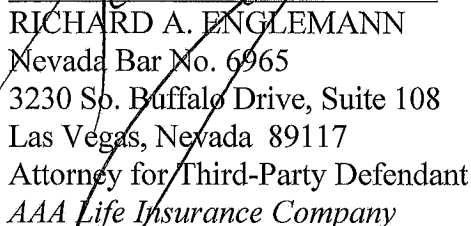
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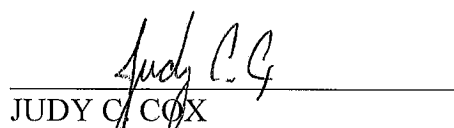
IT IS FURTHER STIPULATED that pursuant to NEV. REV. STAT. § 687B.110 (1971) and AAA Life Insurance Company's Policy, AAA Life Insurance Company's Policy Number # 4013797214 issued to and in the name of Joshua Dufort is void from the inception and rescinded.

DATED this 14 day of December, 2012.

PRINCE & KEATING

**THE LAW OFFICE OF DAN M.
WINDER, P.C.**


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AAA Life Insurance Company


JUDY C. COX
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Attorney for Third- Party Plaintiff
Don Juan W. Futrell

ORDER

Based upon the foregoing Stipulation, IT IS HEREBY ORDERED that Third-Party Plaintiff Don Juan W. Futrell's Third-Party Complaint against AAA Life Insurance Company, only, with the following claims for relief: 1) Declaratory Relief; 2) Breach of Contract; 3) Contractual Breach of Covenant of Good Faith and Fair Dealing; 4) Tortious Breach of Covenant of Good Faith and Fair Dealing; 5) Negligent Misrepresentation; 6) Intentional Misrepresentation; and 7) Civil Conspiracy, is hereby dismissed, with prejudice, each party to bear their own costs and attorney's fees; and

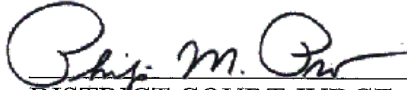
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1 IT IS FURTHER ORDERED that pursuant to NEV. REV. STAT. § 687B.110 (1971) and AAA
2 Life Insurance Company's Policy, AAA Life Insurance Company's Policy Number # 4013797214
3 issued to and in the name of Joshua Dufort is void from the inception and rescinded.

4 **IT IS SO ORDERED**

5 DATED this 19th day of December, 2012.
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8 
9 DISTRICT COURT JUDGE

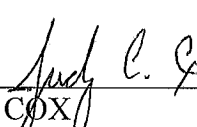
10 Submitted by:

11 **PRINCE & KEATING**
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19 Attorney for Third-Party Defendant
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Approved as to form and content

**THE LAW OFFICE OF DAN M.
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22 JUDY C. COX
23 Nevada Bar No. 11093
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25 Las Vegas, Nevada 89102
26 Attorney for Third- Party Plaintiff
27 Don Juan W. Futrell
28